

**UNITED STATES BANKRUPTCY COURT**

**FOR THE**

**EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

In the Matter of:

JAMES R. CUDNEY II  
AND  
ELAINE M. CUDNEY  
Debtors

Chapter 13

Case No. 15-10537-RGM

**ORDER CONFIRMING PLAN**

The Chapter 13 Plan filed by James R. Cudney II and Elaine M. Cudney on October 13, 2015, having been transmitted to all creditors; and it having been determined that the plan meets each of the requirements of 11 U.S.C. Section 1325(a);

**It is ORDERED that:**

- (1) the Plan as filed or modified is CONFIRMED.
- (2) Upon entry of this order, all property of the estate shall revert in the Debtor(s). Notwithstanding such reversion, the Debtor(s) shall not encumber, refinance, sell or otherwise convey real property without first obtaining an order of approval from this Court.

**Order Confirming Plan**

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(3) On March 18, 2015, and each month thereafter until further order of this Court, the Debtors shall pay to the Trustee, Thomas P. Gorman at P.O. Box 1553, Memphis, TN 38101-1553 the sum of \$300.00 per month for 7 months, then \$2,200.00 per month for 29, then \$2,595.00 per month for 12 months and then \$3,510.00 per month for the remaining 12 months of the Plan in order to pay all creditors back at 100% of all allowed claims. Debtors are also to make two lump sum payments in the amount of \$2,500.00 (paid in September 2015) and the amount of \$15,345.00 (to be paid by July 15, 2016 from 2015 income tax refunds). If allowed claims exceed Plan funding, Plan payment will be adjusted to allow for 100% payment. Payments under said Plan to be completed within 60 months from the due date of the first payment in this case.

(4) The Debtor shall file all federal and state income tax returns on or before the due date, without extension, and provide the Trustee with signed copies of the returns within 7 days after they are filed and provide the Trustee such additional information as the Trustee may require for determination of the Debtor's disposable income. Failure to timely comply with this provision shall be grounds for dismissal.

(5) Any lien avoidance actions(s) contemplated by Section 7(B) of the Plan must be made by the filing of an Adversary Proceeding no later than sixty(60) days from the date of the entry of this Order.

Dated: Feb 18 2016

/s/ Robert G. Mayer  
Robert G. Mayer  
United States Bankruptcy Judge

Entered on Docket: February 19, 2016

Confirmation Recommended.

Seen and agreed.

/s/ Thomas P. Gorman  
Thomas P. Gorman  
Chapter 13 Trustee  
300 North Washington Street, Ste. 400  
Alexandria, VA 22314  
(703) 836-2226  
VSB #26421

/s/ Karen Strid Lane  
Karen Strid Lang, Esquire  
Attorney for Debtor  
524 King Street  
Alexandria, VA 22314  
703-299-4646

Local Rule 9022-1(C) Certification

The foregoing Order was endorsed by and/or served upon all necessary parties pursuant to Local Rule 9022-1(C).

/s/ Thomas P. Gorman  
Thomas P. Gorman, Chapter 13 Trustee

**Order Confirming Plan**

James R. Cudney II and Elaine M. Cudney

**Case #15-10537-RGM**

**PARTIES TO RECEIVE COPIES**

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